

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

1

HOUSE BILL 492

Short Title: WC/Psych. Trauma-Related Injuries. (Public)

Sponsors: Representatives White, K. Baker, Cunningham, and Clampitt (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

April 8, 2021

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, 911 DISPATCHERS, AND EMERGENCY MANAGEMENT SERVICES PERSONNEL ARE ENTITLED TO WORKERS' COMPENSATION BENEFITS FOR PSYCHOLOGICAL TRAUMA WHETHER OR NOT SUCH INJURIES ARE ACCOMPANIED BY PHYSICAL INJURIES UNDER SPECIFIED CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 97-53 reads as rewritten:

"§ 97-53. **Occupational diseases enumerated; when due to exposure to chemicals.**

The following diseases and conditions only shall be deemed to be occupational diseases within the meaning of this Article:

...

(30) Special provisions for employment-related occupational diseases of first responders. – The following provisions apply in determining eligibility of a first responder for compensation benefits under this Article:

a. The term "first responder," as used in this section, means a law enforcement officer, a firefighter, a 911 dispatcher, or an emergency medical technician or paramedic employed by State or local government. The term also includes a volunteer firefighter meeting the requirement of G.S. 58-84-5(3a).

b. For the purposes of this section, posttraumatic stress disorder, as described in the Diagnostic and Statistical Manual of Mental Disorders, Current Edition, published by the American Psychiatric Association, suffered by a first responder without other injury is a compensable occupational disease that arises out of employment as a first responder and arises out of injuries that are characteristic of and peculiar to a particular trade, occupation, process, or employment if (i) the posttraumatic stress disorder resulted from the first responder acting within the course of his or her employment and (ii) the first responder is examined and subsequently diagnosed with such disorder by a licensed psychiatrist or licensed psychologist who establishes within a reasonable degree of medical certainty that the posttraumatic stress disorder is a result of employment activities.



* H 4 9 2 - V - 1 *

- 1 c. The disorder must be demonstrated by a preponderance of medical
2 evidence demonstrated by a licensed psychiatrist or licensed
3 psychologist.
4 d. An employing agency of a first responder, including volunteer first
5 responders, must provide educational training related to mental health
6 awareness, prevention, mitigation, and treatment."

7 **SECTION 2.** This act becomes effective July 1, 2021.